

012004

17364 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.
15437-0592

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, JOHN T. BECK, et al., entitled TWO-LEVEL SERVICE MODEL IN OPERATING SYSTEM PARTITIONS, for a(n):

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior application No: _____ Filed on: _____

() A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification 50 Total Pages; (X) Drawing(s) 16 Total Sheets; (X) Cover Sheet 1 Page(X) Oath or Declaration: 5 Pages

(X) A Newly Executed Combined Declaration and Power of Attorney:

(X) Signed. () Unsigned. () Partially Signed.

() A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

() Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference in its entirety for all purposes.

() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

() Power of Attorney.

(X) Return Receipt Postcard.

() Associate Power of Attorney.

(X) A Check in the amount of \$1,280.00 for the Filing Fee.

() Preliminary Amendment.

() Information Disclosure Statement and Form PTO-1449.

(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

(X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.

() A Certified Copy of Priority Documents (if foreign priority is claimed).

() Applicant(s) is entitled to small entity status. See 37 CFR 1.27.

() Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.

(X) Recordation of Assignment Cover Sheet and executed Assignment.

() Other: _____

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	27	7	\$18.00	\$ 126.00
Independent Claims	7	4	\$86.00	\$ 344.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$40.00
Basic Filing Fee				\$770.00
Total Filing Fee				\$ 1,280.00

Charge \$ _____ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: _____

PAUL A. DURDIK, Reg. No. 37,819

Date: January 20, 2004

Correspondence Address:

CUSTOMER CODE

29989

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: _____

Typed Name: Trudy Bagdon


Express Mail Label No.: EV323351555US

Date of Deposit: January 20, 2004

322782 U.S. PTO
10/761622

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL				Complete if Known									
For FY 2004				Application Number		Not yet available							
<i>Patent fees are subject to annual revision, Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28</i>				Filing Date		Herewith							
				First Named Inventor		JOHN T. BECK							
				Examiner Name		Not yet available							
				Group/Art Unit		Not yet available							
TOTAL AMOUNT OF PAYMENT		(\$)		1,280.00		Attorney Docket No.		15437-0592					
METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)									
1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed. Deposit Account Number: 50-1302 Deposit Account Name: Hickman Palermo Truong & Becker, LLP				3. ADDITIONAL FEES									
				Large Entity Fee Code Fee (\$)				Small Entity Fee Code Fee (\$)				Fee Description	
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other				1051 130 2051 65				Surcharge - late filing fee or oath					
				1052 50 2052 25				Surcharge - late provisional filing fee or cover sheet.					
3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27.				1053 130 1053 130				Non-English specification					
				1812 2,520 1812 2,520				For filing a request for reexamination					
				1804 920* 1804 920*				Requesting publication of SIR prior to Examiner action					
				1805 1,840* 1805 1,840*				Requesting publication of SIR after Examiner action					
				1251 110 2251 55				Extension for reply within first month					
				1252 420 2252 210				Extension for reply within second month					
				1253 950 2253 475				Extension for reply within third month					
				1254 1,480 2254 740				Extension for reply within fourth month					
				1255 2010 2255 1005				Extension for reply within fifth month					
				1401 330 2401 165				Notice of Appeal					
				1402 330 2402 165				Filing a brief in support of an appeal					
				1403 290 2403 145				Request for oral hearing					
				1451 1,510 1451 1,510				Petition to institute a public use proceeding					
				1452 110 2452 55				Petition to revive - unavoidable					
				1453 1330 2453 665				Petition to revive - unintentional					
				1501 1330 2501 665				Utility issue fee (or reissue)					
				1502 480 2502 240				Design issue fee					
				1503 640 2503 320				Plant issue fee					
				1460 130 1460 130				Petitions to the Commissioner					
				1807 50 1807 50				Petitions related to provisional applications					
				1806 180 1806 180				Submission of information Disclosure Stmt					
				8021 40 8021 40				Recording each patent assignment per property (times number of properties)				40.00	
				1809 770 2809 385				Filing a submission after final rejection (37 CFR § 1.129(a))					
				1810 770 2810 385				For each additional invention to be examined (37 CFR § 1.129(b))					
				Other fee (specify)									
				Other fee (specify)									
				SUBTOTAL (2)				(\$)				470.00	
				SUBTOTAL (3)				(\$)				40.00	
SUBMITTED BY													
Name (Print/Type)				PAUL A. DORDIK				Registration No. (Attorney/Agent)		37,819		Telephone (408) 414-1080	
Signature								Date		January 20, 2004			

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Amend, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	JOHN T. BECK
	Title	TWO-LEVEL SERVICE MODEL IN OPERATING SYSTEM PARTITIONS
	Atty. Docket Number	15437-0592

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 20, 2004

Date



Signature

PAUL A. DURDIK (Reg. No. 37,819)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**